

RECEIVED
CENTRAL FAX CENTER

Application No. 09/770,858

Docket No. 113351A

OCT 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
 :
 Diakoumis P. Gerakoulis, et al : Attorney Ref.: 113351A
 :
 Serial No.: 09/770,858 : Confirmation No.: 7218
 :
 Filed: January 26, 2001 : Art Unit: 2664
 :
 FOR: CDMA TO PACKET-SWITCHING : Examiner: John Shew
 INTERFACE IN A TERRESTRIAL :
 WIRELESS SYSTEM :

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321

Mail Stop: Amendment
Commissioner for Patents
Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, AT&T Corp., of one-hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of a patent that may issue from U.S. Patent Application No. 09/770,890. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

11/01/2004 MAHME1 00000033 09770858

01 FC:1814

110.00 OP


Application No. 09/770,858

Docket No. 113351A

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of a patent that may issue from Patent Application No. 09/770,890, as presently shortened by any terminal disclaimer, in the event that a patent that may issue from Patent Application No. 09/770,890: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Dated: October 29, 2004


Thomas M. Isaacson, Reg. No. 44,166

☒ Attached hereto is a credit card payment to cover the Terminal Disclaimer fee of \$130.00 under 37 CFR §1.20(d). Please charge any additional fees which may be required for this Terminal Disclaimer, or credit any overpayment to the Law Office of Thomas M. Isaacson Deposit Account No. 502960. A duplicate copy of this sheet is attached.